

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-22, 24, and 25 are presently pending in this case. Claims 1, 21, 22, and 24 are amended by the present amendment. As amended Claims 1, 21, 22, and 24 are supported by the original disclosure,<sup>1</sup> no new matter is added.

In the outstanding Official Action, Claims 1, 2, 4-22, 24, and 25 were rejected under 35 U.S.C. §102(e) as anticipated by Okada et al. (U.S. Patent No. 6,922,521, hereinafter “Okada”); and Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over Okada.

Applicants and Applicants’ representatives thank Examiners Tran and Topgyal for the courtesy of the interview granted to Applicants’ representatives on November 10, 2009. During the interview, differences between the claims and the cited references were discussed. Examiner Topgyal agreed at the interview that amending the claims as presented herein may overcome Okada.

With regard to the rejection of Claim 1 as anticipated by Okada, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

generating means for generating said AV stream  
constituting one of a plurality of reproduction paths, each  
reproduction path including a plurality of AV segments on a  
timeline, ***every reproduction path on the recording medium  
including at least one AV segment not included in any other  
of the plurality of reproduction paths;***  
controlling means for controlling the generation of said  
AV stream by said generating means; and  
recording means for recording to said recording  
medium said AV stream generated by said generating means;  
wherein said AV stream is constituted by data blocks  
making up predetermined units; and wherein said controlling  
means controls parameters for said AV stream generated by  
said generating means as well as a layout of said data blocks, in

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<sup>1</sup>See, e.g., Figures 7-9 and paragraphs 118-120 of the publication of the specification.

accordance with information indicative of reproducing characteristics in effect when said AV stream recorded on said recording medium is reproduced therefrom.

Okada describes a disk 100 which includes original PGC information 50 and user-defined PGC information 70. The outstanding Office Action asserted that original PGC information 50 and user-defined PGC information 70 are “a plurality of reproduction paths” as defined in original Claim 1.<sup>2</sup> However, as described at column 8, lines 19-21 of Okada, user-defined PGC information 70 is simply a different reproduction order of the objects included in original PGC information 50. Thus, original PGC information 50 and user-defined PGC information 70 do not include *AV segments not included other reproduction paths* as recited in amended Claim 1. In particular, every AV segment referred to by user-defined PGC information 70 is included in original PGC information 50. Thus, user defined PGC information 70 does not meet “every reproduction path on the recording medium including at least one AV segment not included in any other of the plurality of reproduction paths.” Therefore, original PGC information 50 and user-defined PGC information 70 of Okada cannot be “a plurality of reproduction paths” as recited in amended Claim 1. Consequently, as Okada does not teach “generating means” as defined in amended Claim 1, Claim 1 (and Claims 2-20 dependent therefrom) is not anticipated by Okada and is patentable thereover.

Amended Claims 21 and 22 recite in part “generating said AV stream constituting one of a plurality of reproduction paths based on said parameters for said AV stream and on said layout of said data blocks determined in said determining along with said parameters, each reproduction path including a plurality of AV segments on a timeline, *every reproduction path on the recording medium including at least one AV segment not included in any other of the plurality of reproduction paths.*” However, as noted above, user-defined PGC

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<sup>2</sup>See the outstanding Office Action at page 4.

information 70 is simply a different reproduction order of the objects included in original PGC information 50. Thus, every AV segment referred to by user-defined PGC information 70 is included in original PGC information 50. Thus, user defined PGC information 70 does not meet “every reproduction path on the recording medium including at least one AV segment not included in any other of the plurality of reproduction paths.” Therefore, original PGC information 50 and user-defined PGC information 70 of Okada cannot be “a plurality of reproduction paths” as recited in amended Claims 21 and 22. Consequently, as Okada does not teach “generating” as defined in amended Claims 21 and 22, Claims 21 and 22 are also not anticipated by Okada and is patentable thereover.

Finally, amended Claim 24 recites in part “an AV stream generator configured to generate said AV stream constituting one of a plurality of reproduction paths, each reproduction path including a plurality of AV segments on a timeline, ***every reproduction path on the recording medium including at least one AV segment not included in any other of the plurality of reproduction paths.***” As noted above, user-defined PGC information 70 is simply a different reproduction order of the objects included in original PGC information 50. Thus, every AV segment referred to by user-defined PGC information 70 is included in original PGC information 50. Thus, user defined PGC information 70 does not meet “every reproduction path on the recording medium including at least one AV segment not included in any other of the plurality of reproduction paths.” Consequently, as Okada does not teach “an AV stream generator” as defined in amended Claim 24, amended Claim 24 (and Claim 25 dependent therefrom) is also not anticipated by Okada and is patentable thereover.

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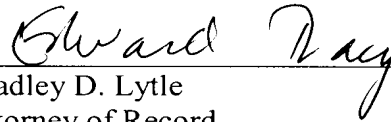
Reply to Office Action of September 24, 2009

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.

A handwritten signature in cursive script, appearing to read "Bradley D. Lytle", is written over a horizontal line.

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 07/09)

Edward W. Tracy, Jr.  
Registration No. 47,998